

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

IN RE: CAPITAL ONE CONSUMER DATA
SECURITY BREACH LITIGATION

MDL No. 1:19md2915 (AJT/JFA)

This Document Relates to the Consumer Cases

PLAINTIFFS' MOTION TO EXCLUDE UNTIMELY PRODUCED DOCUMENT

Plaintiffs, by counsel, respectfully request that the Court grant their Motion to Exclude Untimely Produced Document, directing that the Amazon Defendants—Amazon.com, Inc. and Amazon Web Services, Inc. (“AWS”), referred to collectively herein as “Amazon”—be precluded from offering AWS_CAP00068678, attached as **Exhibit 6** to the Memorandum in support, as evidence on a motion, at a hearing, or at a trial, in this matter, in accord with Fed. R. Civ. P. 37(c)(1).

The parties met and conferred on February 25, 2021, and Amazon has confirmed that it opposes the relief sought in this motion. The reasons in support of the Motion are stated in the accompanying Memorandum in Support.

Dated: February 26, 2021.

Respectfully Submitted,

/s/ Steven T. Webster

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CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

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